

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC., *et al.*

Defendant.

Civil Action No. 6:12-CV-499 MHS

LEAD CASE

BLUE SPIKE, LLC,

Plaintiff,

v.

TYGART TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 6:13-CV-84-MHS

CONSOLIDATED CASE

**DECLARATION OF DOUGLAS R. McSWANE, JR. IN SUPPORT OF  
DEFENDANT TYGART TECHNOLOGIES, INC.'S REPLY IN SUPPORT  
OF ITS MOTION TO DISMISS PURSUANT TO RULE 12(b)(2)  
FOR LACK OF PERSONAL JURISDICTION OR, IN THE ALTERNATIVE,  
TO TRANSFER TO THE NORTHERN DISTRICT OF WEST VIRGINIA**

I, Douglas R. McSwane, Jr., being duly sworn declares under the penalty of perjury that the foregoing is true and correct.

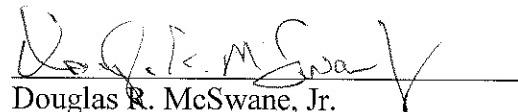
1. I am a partner with the law firm of Potter Minton, P.C. and I have personal knowledge of the following and if called upon to do so, I could and would testify competently thereto.

2. Attached collectively hereto as Exhibit A are true and correct copies of the Articles of Incorporation and other information filed by plaintiff Blue Spike, LLC with the Texas Secretary of State which were obtained on April 30, 2013.

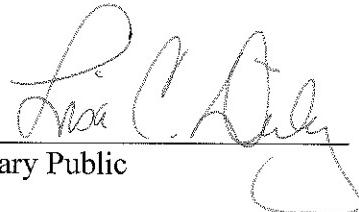
FURTHER AFFIANT SAYETH NAUGHT this,

3<sup>rd</sup> day of May, 2013

By:

  
Douglas R. McSwane, Jr.  
Potter Minton, P.C.  
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Suite 500  
Tyler, TX 75702  
(903) 597-8311  
(903) 593-0846 – facsimile  
[dougmcswane@potterminton.com](mailto:dougmcswane@potterminton.com)

Subscribed and sworn to before me, the undersigned Notary Public, this 3<sup>rd</sup> day of May, 2013.

  
Notary Public

